

THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \* \*

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CLIVEN D. BUNDY,  
RYAN C. BUNDY,  
AMMON E. BUNDY, and  
RYAN W. PAYNE,

Defendants.

2:16-cr-46-GMN-PAL-1-4

DATE: November 22, 2017

Courtroom 7C

THE HONORABLE GLORIA M. NAVARRO, CHIEF UNITED STATES DISTRICT JUDGE

DEPUTY CLERK: Aaron Blazeovich

COURT REPORTER: Patty Ganci

COUNSEL FOR PLAINTIFF: Steven Myhre, Nadia Ahmed and Daniel Schiess with FBI Agents Joel Willis, Sharon Gavin and Mike Abercrombie

COUNSEL FOR DEFENDANT: Bret Whipple, Maysoun Fletcher (Standby Counsel), Daniel Hill, Brenda Weksler and Ryan Norwood

MINUTES OF PROCEEDINGS: Jury Trial (Day 11)

8:55 a.m. The Court convenes outside the presence of the prospective jurors. The Court admonishes the parties regarding courtroom demeanor. Mr. Schiess makes objections to the questioning of **TERRY PETRIE** by Mr. Ryan Bundy. Mr. Ryan Bundy indicates he has completed that line of questioning. Mr. Schiess addresses issues regarding the 2012 threat assessment which Mr. Whipple referenced during cross examination of **TERRY PETRIE**. Mr. Schiess requests the ability to show **TERRY PETRIE** the 2012 threat assessment and to ask questions regarding the document. Mr. Whipple responds. The Court makes rulings as stated on the record. Mr. Whipple requests any discovery from the Government and further requests the ability to amend his witness list. The Court continues the hearing on the Motion to Dismiss (ECF No. 2883) to Wednesday, November 29, 2017, at 8:00 a.m. Mr. Hill makes objections to **TERRY PETRIE** identifying and reading from the threat assessment report. Mr. Schiess responds.

9:50 a.m. The jury enters the courtroom. **TERRY PETRIE**, called on behalf of the Government and previously sworn, continues testifying on cross examination by Mr. Ryan Bundy on behalf of himself. Ms. Weksler conducts cross examination on behalf of Mr. Ryan Payne. Mr. Schiess conducts redirect examination on behalf of the Government. Mr. Whipple conducts recross examination on behalf of Mr. Cliven Bundy. **EXHIBITS 8000-158 and 275 are marked but not admitted into evidence.**

11:36 a.m. The jury is admonished and excused for lunch.

11:37 a.m. The Court reconvenes outside the presence of the jury. Mr. Hill addresses concerns regarding the threat assessment. Mr. Schiess responds. The Court will return from lunch early to allow the parties to address these issues. Mr. Norwood requests additional portions of **EXHIBIT 4** be admitted pursuant to FRE 106. The Court denies the request.

11:54 a.m. The Court stands at recess for lunch.

12:43 p.m. The Court reconvenes outside the presence of the jury. Mr. Schiess indicates that the Government agrees that portions of the testimony of **TERRY PETRIE** should apply to Mr. Cliven Bundy only.

12:50 p.m. The jury enters the courtroom. The Court provides a limiting instruction to the jury. **TERRY PETRIE**, called on behalf of the Government and previously sworn, continues testifying on recross examination by Mr. Ryan Bundy on behalf of himself. Mr. Schiess conducts redirect examination. **TERRY PETRIE** answers questions posed by the jury as read by the Court. Mr. Whipple asks follow up questions on behalf of Mr. Cliven Bundy. The witness is excused.

1:50 p.m. The jury is admonished and excused for the evening.

1:51 p.m. Mr. Schiess addresses concerns with a question asked by Mr. Whipple during the testimony of **TERRY PETRIE**. Mr. Whipple responds. The Court instructs Mr. Whipple to exercise caution in the future.

1:55 p.m. The Court stands at recess.

Jury Trial continued to Monday, November 27, 2017, at 8:00 a.m. in Courtroom 7C before Chief Judge Gloria M. Navarro.

DEBRA K. KEMPI, CLERK  
U.S. DISTRICT COURT

BY:           /S/            
Aaron Blazeovich, Deputy Clerk